

AMENDED IN ASSEMBLY MAY 9, 2012

AMENDED IN ASSEMBLY MAY 1, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2097

Introduced by Assembly Member Hill

February 23, 2012

An act to add and repeal Section 315.5 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2097, as amended, Hill. Public utilities: safety reports.

Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law requires the PUC to investigate the cause of all accidents occurring within this state upon the property of any public utility or directly or indirectly arising from or connected with the utility's maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the PUC, investigation by the PUC. Existing law also authorizes the PUC to make any order or recommendation with respect thereto as in the PUC's judgment seems just and reasonable.

This bill would require an investor-owned utility that provides gas or electric service, or both, to annually report to the PUC on the disposition of all civil complaints against the utility where a matter of public safety that has substantial likelihood to jeopardize the lives or health of Californians is the gravamen of a claim in the complaint.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.

Because the provisions of this bill are within the act, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 315.5 is added to the Public Utilities
2 Code, to read:

3 315.5. (a) An investor-owned utility that provides gas or
4 electric service, or both, shall annually report to the commission,
5 in a format and on a schedule determined by the commission, on
6 the disposition of all civil complaints against the utility where a
7 matter of public safety that has substantial likelihood to jeopardize
8 the lives or health of Californians is the gravamen of a claim in
9 the complaint.

10 (b) On or by June 1, 2013, and each year after that, the
11 commission shall report to the Legislature on all complaints
12 pursuant to subdivision (a) that have been filed in the reporting
13 period that precedes that reporting date. This report shall include
14 a brief statement summarizing the safety issue or issues in each
15 complaint. *The report shall not include confidential settlement*
16 *terms and conditions.*

17 (c) (1) A report to be submitted pursuant to subdivision (b)
18 shall be submitted in compliance with Section 9795 of the
19 Government Code.

20 (2) Pursuant to Section 10231.5 of the Government Code, this
21 section is repealed on January 1, 2017.

22 SEC. 2. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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